



**HUMAN RESOURCES OFFICE
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

Number: 04-42

6 July 2004

Appointment Affidavits

1. A Standard Form 61, Appointment Affidavits, is required for all new appointees into the military technician program. A new Standard Form 61 is not required when there is a change in an employee's status (such as a conversion to a new appointment) as long as service is continuous in California Army National Guard or California Air National Guard. The movement of a military technician between the California Army National Guard and California Air National Guard is considered a new appointment.
2. Only persons identified in paragraph 6 below may administer the affidavits. Simply signing the SF-61 does not constitute taking the oath of office. Accordingly, formal administration of the oath will be conducted by a qualified person in the manner prescribed below.
3. The oath of office is a serious undertaking which demands that all appointees recognize fully the solemn obligations being undertaken and that utmost loyalty to the United States is pledged. In order to impress these facts upon each new employee, the oath of office should be administered in a setting in full view of the American flag with all participants in a standing position. The oath of office is required for the appointment of U.S. citizens only. Resident aliens who are appointed into the military technician program are not administered the oath of office.
4. The affidavit as to striking against the federal government is required for the appointment of U.S. citizens and resident aliens appointed to the military technician program.
5. The affidavit as to the purchase and sale of office is required for the appointment of all "officers."
6. Pursuant to 5 USC 2903(b), the officers and employees designated below are authorized to administer the oath of office and affidavits to employees of the California National Guard. Should occasions arise wherein these designations do not meet operating needs, a request for additional designation of specific individuals should be submitted to the Directorate for Human Resources, Attn: Staffing, 9800 Goethe Road, Sacramento, CA 95826.
 - a. Any commissioned officer in or detailed to the California National Guard (W-2 through W-5, O-1 and above).
 - b. Persons in the employ of the activity who are authorized by California law to administer oaths, but in such cases no fee may be charged.
 - c. OMS shop chiefs at locations where commissioned officers are not assigned.
 - d. Human Resource Specialists located in the Directorate for Human Resources responsible for processing appointment actions.

SUBJECT: TAAI 04-42, dated 6 July 2004

7. If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Consult the Judge Advocate General of the California National Guard for legal advice.

8. The current version of the SF-61 (attached) was revised in August 2002. Previous editions are not usable. The form must be signed by the appointee and by the person who administers the oath or affidavits.

9. Direct questions concerning this TAAI to CMSgt Michael Hunt at DSN 466-3354 or (916) 854-3354; or TSgt Kenneth Cosgrove at DSN 466-3598 or (916) 854-3598.

Atch
SF-61, August 2002


STUART D. EWING
Captain, CA ANG
Deputy Human Resources Officer

DISTRIBUTION:
Army: TA
Air: TA

APPOINTMENT AFFIDAVITS

(Position to which Appointed)

(Date Appointed)

(Department or Agency)

(Bureau or Division)

(Place of Employment)

I, _____, do solemnly swear (or affirm) that--

A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this ____ day of _____, 2____

at _____
(City) (State)

(SEAL)

(Signature of Officer)

Commission expires _____
(If by a Notary Public, the date of his/her Commission should be shown)

(Title)

Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.